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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/019,082	12/26/2001	Jerome Schmitt	0035-ET-PCT	7766
24948	7590	07/13/2004		
ALFRED H. MURATORI MICROCOATING TECHNOLOGIES, INC. 5315 PEACHTREE INDUSTRIAL BLVD ATLANTA, GA 30341-2107			EXAMINER STEIN, STEPHEN J	
			ART UNIT	PAPER NUMBER
			1775	

DATE MAILED: 07/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT

PAPER

20040701

DATE MAILED:

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Commissioner for Patents

Non-responsive Amendment

1. Applicants' Response to the office action mailed January 29, 2004 is non-responsive to the prior office action since applicants failed to respond to the rejections made over the prior art. See 37 CFR 1.111. In their response, applicants state that the claims examined in the office action mailed January 29, 2004 were the claims as originally filed in the PCT, but that these claims had been replaced with substitute sheets (amended claims 1-16) in response to the written opinion filed during examination of the PCT. Applicants submitted copies of the PCT preliminary examination and the claims as they stand in the PCT and argue "that these claims should have been examined in the US application".

This analysis by applicants is incorrect. The National Stage application filed under 35 USC 371 is a separate application from the PCT applications and the claims must be filed separately in that application. Claims amended during the prosecution of a PCT application do not automatically transfer to the US National Stage application. If applicants intended to have the claims amended as they were in the PCT application, they should have been filed in a preliminary amendment. The claims (claims 1-16) submitted by applicants are not the claims as originally filed and consequently are not entered. Applicants may re-submit these claims as an amendment to the originally filed claims (claims 1-8) in response to the January 29, 2004 office action. In their response, applicants should specifically address the rejections made in the previous office action, discussing how the amendments to the claims overcome the rejections made over the prior art. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Stein whose telephone number is 572-272-1544. The examiner can normally be reached on Monday through Friday from 8:30 a.m. to 5:00 p.m. If the attempts to reach the examiner are unsuccessful, the examiner's supervisor, Deborah Jones can be reached by dialing 571-272-1535. The official fax number is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more

information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

July 5, 2004

A handwritten signature in black ink, appearing to read "Stephen J. Stein".

Stephen J. Stein
Primary Examiner
Art Unit 1775